

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Fenderson et al.	Confirmation No.:	2661
Appl. No.:	09/990,570	Group Art Unit:	1616
Filed:	November 21, 2001	Examiner	Arnold, Ernst V.
For:	HERBICIDAL COMPOSITIONS COMPRISING DIMETHENAMID		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

I, Jessica L. Gorczynski, am an attorney of record of the disclaimant, BASF AG, and am authorized to execute this disclaimer on behalf of BASF AG. The disclaimant, BASF AG, having a principal place of business at Carl-Bosch-Strasse 38, D-67056 Ludwigshafen, Germany, is the owner of all right, title, and interest in the above-identified application, by Assignment filed November 23, 2001, and recorded at Reel 012312, Frame 0798.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 5,716,901, issued February 10, 1998, entitled *Synergistic Herbicidal Compositions of Dimethenamide and Sulcotrione and Atrazine*, which patent was assigned to the above-identified disclaimant by an Assignment recorded November 23, 2001, at Reel 012312, Frame 0798.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,716,901, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 5,716,901 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination

certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

/jessica l. gorczynski/

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